

1 JUDGE GARCIA: Any objections?

2 MR. MATTAX: A couple of clarifications with respect to
3 that. And I believe the same clarification with Mr. Hebert.
4 With respect to newspaper articles that are being admitted, I
5 don't object to those that -- so long as they're not being
6 offered for the truth of the matter asserted I would have no
7 objection for newspaper articles for what they're worth.

8 JUDGE GARCIA: Okay. These are newspaper articles
9 related to what?

10 MS. PERALES: Some of the newspaper articles, Your
11 Honor, are demonstrative of legislator statements during the
12 process. They aren't offered for the truth of the matter
13 asserted.

14 JUDGE GARCIA: Okay. All right.

15 MS. PERALES: And also, Your Honor, we have a number of
16 exhibits that we're moving for admission subject to the exercise
17 of legislative privilege because they are depositions that may
18 include material --

19 JUDGE GARCIA: Okay.

20 MS. PERALES: -- that certain legislators would want to
21 vote privilege on.

22 JUDGE GARCIA: Okay. If you'll tell us beforehand the
23 day before or the day of that you're going to use them so we can
24 give that appropriate consideration.

25 MS. PERALES: Yes, Your Honor.

1 JUDGE GARCIA: Okay.

2 MR. MATTAX: Yes. Thank you, Your Honor. That was the
3 next point I was going to make. I've tried to contact the
4 various legislatures whose names may have been mentioned to see
5 if they will, in fact, lodge an objection.

6 The other thing I'd like to do now is move for
7 admission of the agreed exhibits. We have two forms of agreed
8 exhibits. I don't believe they were moved for admission. The
9 joint exhibit list is all the maps that have been provided and
10 that's J1 through J40, the different maps, including the maps
11 passed by the legislature, I move for admission.

12 JUDGE GARCIA: All right. Any objection on this side?

13 MR. GARZA: No objection.

14 JUDGE GARCIA: None. Okay. Fine. They're admitted.

15 MR. MATTAX: We also have compiled for the court a
16 joint expert exhibit list which has three binders which have been
17 provided to the court designated E-X 1 through E-X 20 and these
18 are the export reports of the various witnesses that will be
19 proffered in this case that we've put together and I move for
20 admission.

21 MR. GARZA: No objection.

22 JUDGE GARCIA: All right. Those are in.

23 MR. MATTAX: Lastly, Your Honor, we have one witness
24 who is going to be out of town next week on a vacation on a
25 vacation. It's some mission work. His name is Roy Handownton.

1 (September 9, 2011.)

2 JUDGE GARCIA: Ready? Where is Mr. Bledsoe?

3 MR. HICKS: Mr. Who?

4 JUDGE GARCIA: Mr. Bledsoe, Mr. Rios, Mr. Garza?

5 MR. HEBERT: Mr. Rios is here.

6 JUDGE GARCIA: Oh, I didn't see you, Mr. Rios. I
7 just wanted to make sure the main team is here.

8 MR. GARZA: (Indicating.)

9 JUDGE GARCIA: Okay. Good.

10 MR. HICKS: Your Honor, Renea Hicks for the
11 Rodriguez plaintiffs. We have got one exhibit to move the
12 admission on. I believe we want to get that out of the way at
13 the beginning, so we can proceed.

14 We move for the admission of Plaintiff's Exhibit
15 901.

16 MR. MATTAX: No objection.

17 JUDGE GARCIA: Okay.

18 MS. PERALES: Also, the Latino Task Force plaintiffs
19 have corrected one of their summary chart exhibits and placed
20 them into the Court's binders at tab 200. And they are now
21 marked PL-200 corrected, and I believe also -- 201? And 201.

22 JUDGE GARCIA: Okay.

23 MR. MATTAX: Good morning, Your Honor. Pursuant to
24 the stipulation of the parties, we are going to take Mr. Ryan
25 Downton out of turn this morning. Mr. Downton is not going to

1 testify about absolutely everything that was done in the
2 session.

3 We are going to try to streamline that testimony,
4 because he has been deposed, and the parties have agreed that
5 his depositions can be introduced and relied upon in this
6 case.

7 Secondly, the depositions identify certain
8 legislators who had conversations with Mr. Downton; also,
9 other witnesses have been deposed that identified legislators.
10 Mrs. Perales had indicated she was going to introduce those
11 exhibits.

12 We have contacted those legislators and indicated
13 that their names they be revealed. I have heard no objections
14 from those legislators. I have seen nothing filed with this
15 Court from those legislators, so I believe there is not going
16 to be an assertion of legislative privilege with respect to
17 those depositions in this matter.

18 Accordingly, we have no objection to the
19 introduction of the exhibits - the depositions that Mrs.
20 Perales has provided to the Court. So if she would like to
21 move for the admission of those, I have no objection.

22 MS. PERALES: We believe that we have provided at
23 the Court's request a flash drive with copies of all of the
24 exhibits. That was from last Thursday.

25 JUDGE GARCIA: Okay.